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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/223,595	12/30/1998	JEFFREY C. BELT	13237-2305-M	1356

27488 7590 11/20/2003

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EXAMINER	
ANYA, CHARLES E	
ART UNIT	PAPER NUMBER

2126

DATE MAILED: 11/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/223,595

Applicant(s)

BELT ET AL.

Examiner

Charles E Anya

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-6 and 8-28 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

**NOTE: Examiner acknowledges the improper use of the Peterson reference (U.S. Publication No. 2001/0003828). The current office action remedies the issue of improper use.**

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**Claims 1 – 6 and 8 – 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Pat. No. 5,995,756 to Herrmann in view of U.S. Pat. No. 6,594,682 to Peterson et al.**

As to claim 1, Herrmann teaches an Application Functionality (Col. 3, Ln. 31 – 67, Col. 9, Ln. 33 – 55), a Set of Files (MIME Types Col. 3, Ln. 31 – 67, Col. 8, Ln. 11 – 67, Col. 9, Ln. 33 – 67), a Handler Routine and sending each file to the handler routine (Col. 9 Ln. 43 – 45) and determining the application functionality (Col. 9, Ln. 43 – 55). Herrmann is silent with respect running the set of files when the computer is disconnected.

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Peterson teaches running the set of files when the computer is disconnected (Offline Submission Col. 12 Ln. 32 - 43). It would have been obvious to apply the teaching of Peterson to the system of Hermann. One would have been motivated to make such a modification to allow a user to work offline from the server in a manner that feels familiar to working online (Col. 12 Ln. 41 – 43).

As to claim 2, Herrmann teaches the application functionality to comprise of products, features and components (Microsoft Word Col. 8, Ln. 11 – 18).

As to claim 3, Herrmann teaches identifying the set of files and storing the set of on the computer (Col. 9, Ln. 56 – 67).

As to claim 4, claims 1 and 2 covers claim 4 except for determining the set of files to be stored locally on the computer and installing the identified application functionality locally on the computer.

Herrmann teaches determining the set of files to be stored locally on the computer (Col. 8, Ln. 43 – 54) and installing the identified application functionality locally on the computer (Col. 9, Ln. 56 – 65).

As to claim 5, Herrmann teaches using input that corresponds to a plurality of files that are to be stored on a local computer (Col. 11, Ln. 10 – 17).

As to claim 6, Herrmann does not explicitly teach a plurality of files in a plurality of storage locations.

Herrmann teaches multiple application pages/files can be located using hyperlinks (Col. 9, Ln. 32 – 42). These hyperlinks includes several storage locations. Secondly a determination is first made as to whether the files are located locally then looking at a

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remote location as result looking for the files in a plurality of locations (local and remote) (Col. 12, Ln. 42 – 54) and determining whether each file is to be stored locally and adding the file if true (Col. 8, Ln. 25 – 54).

As to claim 8, Herrmann teaches handler routine to include instructions for scanning the associated file and determining the application functionality that is needed to execute the associated file (Col. 9, Ln. 43 – 45).

As to claim 9, see the rejection of claim 2.

As claim 10, Herrmann teaches a Computer (Client Side 510 Col. 10, Ln. 29 – 54), a Network (Internet Connection 520 Col. 10, Ln. 29 - 54), a Set of application Functionality (Application Object Repository 543 Col. 10, Ln. 29 – 54), creating a list of file stored locally on the computer (Col. 8, Ln. 25 – 42: NOTE: Although document identification engine (DIE) is not explicitly taught, the creation of the file must have to be implemented by some type routine/engine. Therefore any routine/engine that creates the file is the DIE. Also, Herrmann teaches the creation of a single file, however the creation of a plurality of files would be obvious to one of ordinary skill in the art to implement since this file could be a cabinet file (Col. 9, Ln. 56 – 65), sending the list of files from the DIE to a document mapping engine (DME), causing the DME to identify a proper handler routine for each file, sending each file from the DME to the proper handler routine, causing the handler routine to identify the application functionality, sending a list of needed application functionality of the handler routine to the DME, sending a list of needed application functionality from the DME to a migration engine (ME), causing the ME to determine the current status of the needed application

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functionality and installing the application functionality from a remote location if it not installed locally (Col. 8, Ln. 25 – 42, Col. 9, Ln. 32 – 55: NOTE: The DME, ME and their steps, though not explicit are inherent because the purpose of the DME and ME is to find and download the appropriate application functionality and the phrase "...also includes information necessary to find and download the program code..." does just that. It finds and downloads the appropriate application functionality by using the technique for associating a host application with a document through the use of MIME types (Col. 8, Ln. 25 – 42). Also see the rejection of claim 1.

As to claim 11, Herrmann teaches a Computer-Readable Medium (Main Memory 102, Mass Storage 107).

As to claim 12, Herrmann teaches the step of finding each file to be stored locally, in the plurality of storage locations based on a set of rules (the rules of URL and hyperlinks Col. 9, Ln. 33 – 42).

As to claim 13, Herrmann teaches the step of finding each file to be stored locally, in the plurality of storage locations based on a user's usage patterns (Col. 12, Ln. 42 – 55).

As to claim 14, Herrmann does not explicitly teach the step of identifying application functionality to comprise determining whether each file needs multiple application functionality. However, Herrmann teaches the files to include multiple/cabinet files. These cabinet files are associated with a plurality of application functionality (Col. 9, Ln. 56 – 65).

As to claim 15, Herrmann teaches mapping application functionality to a file embedded in a file (hyperlinks Col. 9, Ln. 32 – 42).

As to claim 16, Herrmann does not specifically teach the embedded file as an Object Linking and Embedding (OLE) object. However, Herrmann employs OLE in the use of Globally Unique Identifier (GUID) to identify a particular application. And since the files must use GUID to associate with any application it would be safe to say that the embedded file would implement OLE (Col. 8, Ln. 11 – 24).

As to claim 17, Herrmann teaches the embedded file as a hyperlink (Col. 9, Ln. 32 – 42).

As to claim 18, Herrmann does not explicitly teach the step of causing the handler to notify the DME of an embedded file, and in response to the notification of the embedded file the DME transmits the embedded file to another handler.

Herrmann teaches a handler routine, an embedded file (Col. 9, Ln. 32 – 54) and DME as explained in claim 10. The transmission of the embedded file to another handler would be inherent because each file is associated with a handler, an embedded file implies more than one file therefore each of the files would be associated with a different handler.

As to claim 19, Herrmann does not explicitly teach the step of sorting the application functionality according to a frequency of occurrence.

Herrmann teaches that the application functionality could be stored locally or remotely (Col. 9, Ln. 32 – 54). One of the reasons of storing applications locally is for easy

access to applications that are frequently used, thus storing locally those applications that occur frequently is sorting the applications according to frequency of occurrence.

As to claim 20, Herrmann does not explicitly teach the step of causing the handler to return importance ranking associated with the application functionality. However, by first looking locally for the application and then remotely (Col. 9, Ln. 32 – 54) the handler has prioritized the sequence of finding the appropriate application and in so doing would return the applications according to their importance.

As to claims 21 – 27, see the rejection of claims 1 and 4.

As to claim 28, claim 10 covers claim 28. Also note that the steps of reviewing is inherent in the phrases "...packaging a document object..." and "...appropriate for hosting document..." Col. 8 Ln. 25 – 67).

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1 – 6 and 8 – 28 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles E Anya whose telephone number is (703) 305-3411. The examiner can normally be reached on M – F (First Friday Off) from 8:30 am to 5:30 pm.



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The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7239.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Charles E Anya  
Examiner  
Art Unit 2126



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